

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 27, 2023

Christopher M. Wolpert  
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HUJRAH WAHHAJ,

Defendant - Appellant.

No. 23-2170  
(D.C. No. 1:18-CR-02945-WJ-3)  
(D. N.M.)

ORDER

This matter is before the court sua sponte upon the opening of this appeal and a review of the district court docket. The jury returned a verdict against appellant Hujrah Wahhaj on October 17, 2023. [ECF No. 1014]. On October 25, 2023, Ms. Wahhaj filed her notice of appeal. [ECF No. 1028].

However, the district court has not yet sentenced Ms. Wahhaj or entered judgment against her. As a result, the notice of appeal is premature. *See* Fed. R. App. P. 4(b)(2); *see also United States v. Walker*, 915 F.2d 1463, 1465 (10th Cir. 1990) (holding that “a premature notice of appeal filed after a guilty verdict is returned but before sentencing ripens when the judgment is formally finalized”).

Accordingly, the court abates this appeal pending the district court’s entry of final judgment. Once the district court enters final judgment, the court will lift the abatement and this appeal will proceed.

The deadlines for the following preliminary matters are vacated and will be reset by subsequent court order: docketing statement, transcript order form, designation of record, and attorney appointment/withdrawal motion. The remaining preliminary deadlines (notice of appearance/entry of appearance and disclosure statement) remain in place.

The court directs the Clerk of the district court to supplement the preliminary record for this appeal once final judgment enters. *See* 10th Cir. R. 3.2(B).

Entered for the Court

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk